

Executive Summary – Enforcement Matter – Case No. 48840
Cathy Ward dba Town & Country Septic
RN107147621
Docket No. 2014-0840-MLM-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MLM - WQ and SLG

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Town & Country Septic, 510 East State Street, Eagle Lake, Colorado County

Type of Operation:

Sludge transporter business

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: The complainant has expressed an interest in this matter but does not wish to speak at Agenda.

Texas Register Publication Date: October 31, 2014

Comments Received: No

Penalty Information

Total Penalty Assessed: \$12,300

Amount Deferred for Expedited Settlement: \$2,460

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$395

Total Due to General Revenue: \$9,445

Payment Plan: 1 payment of \$345 and 28 payments of \$325 each

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - N/A

Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002 and April 2014

Executive Summary – Enforcement Matter – Case No. 48840
Cathy Ward dba Town & Country Septic
RN107147621
Docket No. 2014-0840-MLM-E

Investigation Information

Complaint Date(s): December 12, 2013

Complaint Information: Alleged that a Mr. Dennis Michael Ward, was illegally dumping septic waste from his pump truck into a sewer line at his home. The waste dumped by Mr. Ward is conveyed to the City of Eagle Lake wastewater treatment plant and is upsetting the treatment process.

Date(s) of Investigation: January 14, 2014 through April 22, 2014

Date(s) of NOE(s): May 1, 2014

Violation Information

1. Failed to renew a Sludge Transporter Registration and maintain complete records of each individual collection in the form of a trip ticket before transporting waste. Specifically, the Respondent's Sludge Transporter Registration No. 22494 expired on August 31, 2004, and the Respondent collected and transported grease trap waste on September 26, 2010, July 9, 2012, January 8, 2013, June 3, 2013, August 16, 2013, November 27, 2013, and March 7, 2014, without authorization, and without maintaining trip tickets of each individual collection [30 Tex. Admin. Code §§ 312.142(a) and (d) and 312.145(a) and (b)].
2. Failed to obtain authorization to deposit wastes at a facility designated by or acceptable to the generator where the owner or operator of the facility agrees to receive the wastes and the facility has written authorization by permit or registration issued by the Executive Director ("ED") to receive wastes. Specifically, on February 13, 2014, a private citizen witnessed the Respondent discharging waste from a green hose connected to the Respondent's truck to a four-inch vent pipe attached to the Respondent's residence [30 TEX. ADMIN. CODE § 312.143].
3. Failed to prominently mark discharge valves and ports on all closed vehicles, tanks, or containers used to transport liquid wastes. Specifically, the liquid waste transport vehicle discharge valve was not prominently marked [30 TEX. ADMIN. CODE § 312.144(f)].
4. Failed to equip a vehicle used to transport liquid waste with a sight gauge maintained in a manner which can be used to determine whether or not the vehicle is loaded and the approximate capacity. Specifically, the liquid waste transport vehicle was not equipped with a sight gauge [30 TEX. ADMIN. CODE § 312.144(d)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By March 11, 2014 the Respondent renewed TCEQ Sludge Transporter Registration No. 24823, authorization to collect and transport municipal sludge and similar wastes,

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RN107147621
Docket No. 2014-0840-MLM-E

including authorization to deposit wastes at Victoria Environmental or the City of Brenham wastewater treatment plant.

Technical Requirements:

The Order will require the Respondent to:

a. Immediately:

i. Begin depositing wastes at a facility designated by or acceptable to the generator where the owner or operator of the facility agrees to receive the wastes, and the facility has written authorization by permit or registration issued by the ED to receive wastes; and

ii. Begin maintaining complete trip ticket records of each individual collection and deposit, including a return copy of each trip ticket to the persons generating the waste within 15 days after the waste is received at the disposal or processing facility.

b. Within 15 days, submit written certification to demonstrate compliance with a.

c. Within 30 days:

i. Appropriately mark discharge valves and ports on the vehicle used to transport liquid waste;

ii. Equip the vehicle used to transport liquid waste with a sight gauge maintained in a manner which can be used to determine whether or not the vehicle is loaded and the approximate capacity;

iii. Update processes and conduct employee training to ensure that all regulated waste is properly disposed; and

iv. Update processes and conduct employee training to ensure that individual collection and deposit records are maintained and copies are provided to the persons generating the waste.

d. Within 45 days, submit written certification to demonstrate compliance with c.

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Cathy Ward dba Town & Country Septic
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Litigation Information

Date Petition(s) Filed: N/A
Date Answer(s) Filed: N/A
SOAH Referral Date: N/A
Hearing Date(s): N/A
Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Larry Butler, Enforcement Division,
Enforcement Team 3, MC 169, (512) 239-2543; Michael Parrish, Enforcement Division,
MC 219, (512) 239-2548
TCEQ SEP Coordinator: N/A
Respondent: Cathy Ward, Owner, Town & Country Septic, 510 East State Street,
Eagle Lake, Texas 77434
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES	Assigned	9-Jun-2014	Screening	12-Jun-2014	EPA Due	
	PCW	17-Jul-2015				

RESPONDENT/FACILITY INFORMATION

Respondent	Cathy Ward dba Town & Country Septic		
Reg. Ent. Ref. No.	RN107147621		
Facility/Site Region	12-Houston	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	48840	No. of Violations	1	
Docket No.	2014-0840-MLM-E	Order Type	1660	
Media Program(s)	Water Quality	Government/Non-Profit	No	
Multi-Media		Enf. Coordinator	Jill Russell	
		EC's Team	Enforcement Team 3	
Admin. Penalty \$ Limit Minimum		\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$1,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **0.0%** Enhancement **Subtotals 2, 3, & 7** **\$0**

Notes: No adjustment for compliance history.

Culpability **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** **\$0**

Economic Benefit **0.0%** Enhancement* **Subtotal 6** **\$0**

Total EB Amounts: \$14
Estimated Cost of Compliance: \$260
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$1,000**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** **Adjustment** **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **\$1,000**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$1,000**

DEFERRAL **20.0%** Reduction **Adjustment** **-\$200**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY **\$800**

Screening Date 12-Jun-2014

Docket No. 2014-0840-MLM-E

PCW

Respondent Cathy Ward dba Town & Country Septic

Policy Revision 2 (September 2002)

Case ID No. 48840

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN107147621

Media [Statute] Water Quality

Enf. Coordinator Jill Russell

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

No adjustment for compliance history.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%

Screening Date 12-Jun-2014

Docket No. 2014-0840-MLM-E

PCW

Respondent Cathy Ward dba Town & Country Septic

Policy Revision 2 (September 2002)

Case ID No. 48840

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN107147621

Media [Statute] Water Quality

Enf. Coordinator Jill Russell

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 312.142(a) and (d), and 312.145(a) and (b)

Violation Description

Failed to renew a Sludge Transporter Registration, as documented during an investigation conducted from January 14, 2014 through April 22, 2014. Specifically, the Respondent collected and transported grease trap waste on September 26, 2010, without authorization.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

703 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$1,000

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	
N/A	x (mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$1,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$14

Violation Final Penalty Total \$1,000

This violation Final Assessed Penalty (adjusted for limits) \$1,000

Economic Benefit Worksheet

Respondent Cathy Ward dba Town & Country Septic
Case ID No. 48840
Reg. Ent. Reference No. RN107147621
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$250	14-Jan-2014	6-Jan-2015	0.98	\$12	n/a	\$12
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$10	26-Sep-2010	11-Mar-2014	3.46	\$2	n/a	\$2
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to submit an application for a registration as a transporter of grease trap wastes (\$10 sticker fee per vehicle). Dates required are the Respondent's grease trap transport date of record and investigation date. Final dates are the dates of compliance and expected date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$260

TOTAL

\$14



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	9-Jun-2014	Screening	12-Jun-2014	EPA Due	
	PCW	17-Jul-2015				

RESPONDENT/FACILITY INFORMATION

Respondent	Cathy Ward dba Town & Country Septic		
Reg. Ent. Ref. No.	RN107147621		
Facility/Site Region	12-Houston	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	48840	No. of Violations	4
Docket No.	2014-0840-MLM-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Jill Russell
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$10,250**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **0.0%** Enhancement **Subtotals 2, 3, & 7** **\$0**

Notes: No adjustment for compliance history.

Culpability **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** **\$0**

Economic Benefit **0.0%** Enhancement* **Subtotal 6** **\$0**

Total EB Amounts **\$1,089**
Approx. Cost of Compliance **\$1,900**
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$10,250**

OTHER FACTORS AS JUSTICE MAY REQUIRE **10.2%** **Adjustment** **\$1,050**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Recommended enhancement to capture the avoided cost associated with Violation No. 2.

Final Penalty Amount **\$11,300**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$11,300**

DEFERRAL **20.0%** Reduction **Adjustment** **-\$2,260**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **\$9,040**

Screening Date 12-Jun-2014

Docket No. 2014-0840-MLM-E

PCW

Respondent Cathy Ward dba Town & Country Septic

Policy Revision 4 (April 2014)

Case ID No. 48840

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN107147621

Media [Statute] Water Quality

Enf. Coordinator Jill Russell

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

No adjustment for compliance history.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 0%

Screening Date 12-Jun-2014

Docket No. 2014-0840-MLM-E

PCW

Respondent Cathy Ward dba Town & Country Septic

Policy Revision 4 (April 2014)

Case ID No. 48840

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN107147621

Media [Statute] Water Quality

Enf. Coordinator Jill Russell

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 312.142(a) and (d) and 312.145(a) and (b)

Violation Description

Failed to renew a Sludge Transporter Registration and maintain complete records of each individual collection in the form of a trip ticket before continuing to transport waste, as documented during an investigation conducted from January 14, 2014 through April 22, 2014. Specifically, the Respondent's Sludge Transporter Registration No. 22494 expired on August 31, 2004, and the Respondent continued to collect and transport grease trap waste on July 9, 2012, January 8, 2013, June 3, 2013, August 16, 2013, November 27, 2013, and March 7, 2014, without authorization, and without maintaining trip tickets of each individual collection.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events 6

703 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$7,500

Six single events are recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Reduction	
	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$8,268

This violation Final Assessed Penalty (adjusted for limits) \$8,268

Economic Benefit Worksheet

Respondent Cathy Ward dba Town & Country Septic
Case ID No. 48840
Reg. Ent. Reference No. RN107147621
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Delayed costs captured in Violation No. 1 of Penalty Calculation Worksheet Revision 2.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date 12-Jun-2014

Docket No. 2014-0840-MLM-E

PCW

Respondent Cathy Ward dba Town & Country Septic

Policy Revision 4 (April 2014)

Case ID No. 48840

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN107147621

Media [Statute] Water Quality

Enf. Coordinator Jill Russell

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code § 312.143

Violation Description

Failed to obtain authorization to deposit wastes at a facility designated by or acceptable to the generator where the owner or operator of the facility agrees to receive the wastes and the facility has written authorization by permit or registration issued by the Executive Director to receive wastes, as documented during an investigation conducted from January 14, 2014 through April 22, 2014. Specifically, on February 13, 2014, a private citizen witnessed the Respondent discharging waste from a green hose connected to the Respondent's truck to a four-inch vent pipe attached to the Respondent's residence.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 5.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which would not exceed protective levels as a result of this violation.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$1,250

One quarterly event is recommended for the day the discharge was witnessed (February 13, 2014).

Good Faith Efforts to Comply

0.0% Reduction

\$0

Extraordinary

Before NOV NOV to EDPRP/Settlement Offer

Ordinary

N/A

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$1,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,059

Violation Final Penalty Total \$1,378

This violation Final Assessed Penalty (adjusted for limits) \$1,378

Economic Benefit Worksheet

Respondent Cathy Ward dba Town & Country Septic
Case ID No. 48840
Reg. Ent. Reference No. RN107147621
Media Water Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$250	22-Apr-2014	6-Jan-2015	0.71	\$9	n/a	\$9
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to update processes and conduct employee training to ensure that all regulated waste is properly disposed. Date required is the date the violation was documented, and the final date is the expected compliance date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$1,050	13-Feb-2014	13-Feb-2014	0.00	\$0	\$1,050	\$1,050
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated avoided cost to have properly disposed of 7,000 gallons of grease trap waste (\$0.15 per gallon; volume based on the capacity of the 1998 Chevrolet truck) at an authorized disposal facility, calculated for the date when the Respondent was witnessed to have discharged waste without authorization.

Approx. Cost of Compliance

\$1,300

TOTAL

\$1,059

Screening Date 12-Jun-2014

Docket No. 2014-0840-MLM-E

PCW

Respondent Cathy Ward dba Town & Country Septic

Policy Revision 4 (April 2014)

Case ID No. 48840

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN107147621

Media [Statute] Water Quality

Enf. Coordinator Jill Russell

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 312.144(f)

Violation Description

Failed to prominently mark discharge valves and ports on all closed vehicles, tanks, or containers used to transport liquid wastes, as documented during an investigation conducted from January 14, 2014 through April 22, 2014. Specifically, the liquid waste transport vehicle discharge valve was not prominently marked.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 3.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed protective levels as a result of this violation.

Adjustment \$24,250

\$750

Violation Events

Number of Violation Events 1

51

Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$750

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$5

Violation Final Penalty Total \$827

This violation Final Assessed Penalty (adjusted for limits) \$827

Economic Benefit Worksheet

Respondent Cathy Ward dba Town & Country Septic
 Case ID No. 48840
 Reg. Ent. Reference No. RN107147621
 Media Water Quality
 Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment	\$100	22-Apr-2014	6-Jan-2015	0.71	\$0	\$5	\$5
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to prominently mark the discharge valves and ports on the sludge transportation on the vehicle, tank or container. Date required is the date the violation was documented. Final date is the expected compliance date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

TOTAL

\$5

Screening Date 12-Jun-2014

Docket No. 2014-0840-MLM-E

PCW

Respondent Cathy Ward dba Town & Country Septic

Policy Revision 4 (April 2014)

Case ID No. 48840

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN107147621

Media [Statute] Water Quality

Enf. Coordinator Jill Russell

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code § 312.144(d)

Violation Description

Failed to equip a vehicle used to transport liquid waste with a sight gauge maintained in a manner which can be used to determine whether or not the vehicle is loaded and the approximate capacity, as documented during an investigation conducted from January 14, 2014 through April 22, 2014. Specifically, the liquid waste transport vehicle was not equipped with a sight gauge.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			X

Percent 3.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed protective levels as a result of this violation.

Adjustment \$24,250

\$750

Violation Events

Number of Violation Events 1

51 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$750

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$25

Violation Final Penalty Total \$827

This violation Final Assessed Penalty (adjusted for limits) \$827

Economic Benefit Worksheet

Respondent Cathy Ward dba Town & Country Septic
 Case ID No. 48840
 Reg. Ent. Reference No. RN107147621
 Media Water Quality
 Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment	\$500	22-Apr-2014	6-Jan-2015	0.71	\$1	\$24	\$25
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to equip the sludge transportation vehicle with a sight gauge. Date required is the date the violation was documented. Final date is the expected date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$25

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

PUBLISHED Compliance History Report for CN604536987, RN107147621, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator: CN604536987, Cathy Ward

Classification: NOT APPLICABLE

Rating: N/A

Regulated Entity: RN107147621, TOWN & COUNTRY SEPTIC

Classification: NOT APPLICABLE

Rating: N/A

Complexity Points: N/A

Repeat Violator: N/A

CH Group: 14 - Other

Location: 510 EAST STATE STREET, EAGLE LAKE, COLORADO COUNTY, TEXAS

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

SLUDGE REGISTRATION 24823

Compliance History Period: September 01, 2008 to August 31, 2013

Rating Year: 2013

Rating Date: 09/01/2013

Date Compliance History Report Prepared: June 10, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: June 10, 2009 to June 10, 2014

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Jill Russell

Phone: (512) 239-4564

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? NO
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:
N/A

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):
N/A

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CATHY WARD DBA TOWN &
COUNTRY SEPTIC
RN107147621**

§
§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2014-0840-MLM-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Cathy Ward dba Town & Country Septic ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 361 and TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a sludge transporter business at 510 East State Street in Eagle Lake, Colorado County, Texas (the "Site").
2. The TCEQ has general authority to regulate solid waste disposal and transportation, pursuant to TEX. HEALTH & SAFETY CODE ch. 361.
3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about May 6, 2014.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Twelve Thousand Three Hundred Dollars (\$12,300) is assessed by the Commission in settlement of the violations alleged in

II ("Allegations"). The Respondent has paid Three Hundred Ninety-Five Dollars (\$395) of the administrative penalty and Two Thousand Four Hundred Sixty Dollars (\$2,460) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of Nine Thousand Four Hundred Forty-Five Dollars (\$9,445) of the administrative penalty shall be payable in one monthly payment of Three Hundred Forty-Five Dollars (\$345) and 28 monthly payments of Three Hundred Twenty-Five Dollars (\$325) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director recognizes that by March 11, 2014 the Respondent renewed TCEQ Sludge Transporter Registration No. 24823, authorization to collect and transport municipal sludge and similar wastes, including authorization to deposit wastes at Victoria Environmental or the City of Brenham wastewater treatment plant.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Site, the Respondent is alleged to have:

1. Failed to renew a Sludge Transporter Registration and maintain complete records of each individual collection in the form of a trip ticket before transporting waste, in violation of 30 TEX. ADMIN. CODE §§ 312.142(a) and (d) and 312.145(a) and (b), as documented during an investigation conducted from January 14, 2014 through April 22, 2014. Specifically, the Respondent collected and transported grease trap waste on September 26, 2010, July 9, 2012, January 8, 2013, June 3, 2013, August 16, 2013, November 27, 2013 and March 7, 2014 without authorization, and without maintaining trip tickets of each individual collection.
2. Failed to obtain authorization to deposit wastes at a facility designated by or acceptable to the generator where the owner or operator of the facility agrees to receive the wastes and the facility has written authorization by permit or registration issued by the Executive Director to receive wastes, in violation of 30 TEX. ADMIN. CODE § 312.143, as documented during an investigation conducted from January 14, 2014 through April 22, 2014. Specifically, on February 13, 2014, a private citizen witnessed the Respondent discharging waste from a green hose connected to the Respondent's truck to a four-inch vent pipe attached to the Respondent's residence.
3. Failed to prominently mark discharge valves and ports on all closed vehicles, tanks, or containers used to transport liquid wastes, in violation of 30 TEX. ADMIN. CODE § 312.144(f), as documented during an investigation conducted from January 14, 2014 through April 22, 2014. Specifically, the liquid waste transport vehicle discharge valve was not prominently marked.
4. Failed to equip a vehicle used to transport liquid waste with a sight gauge maintained in a manner which can be used to determine whether or not the vehicle is loaded and the approximate capacity, in violation of 30 TEX. ADMIN. CODE § 312.144(d), as documented during an investigation conducted from January 14, 2014 through April 22, 2014. Specifically, the liquid waste transport vehicle was not equipped with a sight gauge.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Cathy Ward dba Town & Country Septic, Docket No. 2014-0840-MLM-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order:
 - i. Begin depositing wastes at a facility designated by or acceptable to the generator where the owner or operator of the facility agrees to receive the wastes, and the facility has written authorization by permit or registration issued by the Executive Director to receive wastes, in accordance with 30 TEX. ADMIN. CODE § 312.143; and
 - ii. Begin maintaining complete trip ticket records of each individual collection and deposit, including a return copy of each trip ticket to the persons generating the waste within 15 days after the waste is received at the disposal or processing facility, in accordance with 30 TEX. ADMIN. CODE § 312.145.
 - b. Within 15 days after the effective date of this Agreed Order, submit written certification, in accordance with Order Provisions No. 2.e below, to demonstrate compliance with Ordering Provisions Nos. 2.a.i and 2.a.ii.
 - c. Within 30 days after the effective date of this Order:
 - i. Appropriately mark discharge valves and ports on the vehicle used to transport liquid waste, in accordance with 30 TEX. ADMIN. CODE § 312.144;
 - ii. Equip the vehicle used to transport liquid waste with a sight gauge maintained in a manner which can be used to determine whether or not the vehicle is loaded and the approximate capacity, in accordance with 30 TEX. ADMIN. CODE § 312.144;

- iii. Update processes and conduct employee training to ensure that all regulated waste is properly disposed, in accordance with 30 TEX. ADMIN. CODE § 312.143; and
- iv. Update processes and conduct employee training to ensure that individual collection and deposit records are maintained and copies are provided to the persons generating the waste, in accordance with 30 TEX. ADMIN. CODE § 312.145(a) and (b).
- d. Within 45 days after the effective date of this Agreed Order, submit written certification, in accordance with Order Provisions No. 2.e below, to demonstrate compliance with Ordering Provisions Nos. 2.c.i, 2.c.ii, 2.c.iii, and 2.c.iv.
- e. The written certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.b and 2.d. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent.
- 4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent

shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
8. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

Cathy Ward dba Town & Country Septic
DOCKET NO. 2014-0840-MLM-E
Page 7

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date


For the Executive Director

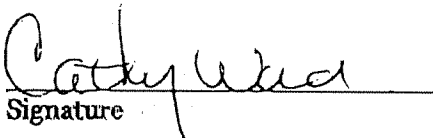
9/2/16
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature

9-13-16
Date

Cathy Ward
Name (Printed or typed)
Authorized Representative of
Cathy Ward dba Town & Country Septic

Owner
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.